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BUREAU OF HEALTH AND NUTRITION SERVICES AND
CHILD/FAMILY/SCHOOL PARTNERSHIPS
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TO: National School Lunch, Breakfast and Special Milk Sponsors

FROM: Maureen B. Staggenborg, Director - Child Nutrition Programs

DATE: October 8, 2004

SUBJECT: Operational Memorandum #02-05: Implementation of Nutrition Components of Public Act 04-224, *An Act Concerning Childhood Nutrition in Schools, Recess and Lunch Breaks*

This spring the Connecticut General Assembly passed Public Act 04-224, *An Act Concerning Childhood Nutrition in Schools, Recess and Lunch Breaks*. This legislation includes three components, one on physical activity and two that impact school meals and other foods sold in schools. The purpose of this memo is to provide clarification on implementation of the two nutrition components of Public Act 04-224.

Effective July 1, 2004, each local and regional board of education is required to:

1. offer all full-day students a daily lunch period of not less than twenty minutes; and
2. make available in the schools under its jurisdiction, for purchase by students enrolled in such schools nutritious, low-fat foods and drinks, which shall include, but shall not be limited to, (a) low-fat milk, 100% natural fruit juices and water at all times when drink is available for purchase by students in such schools during the regular school day, and (b) low-fat dairy products and fresh or dried fruit at all times when food is available for purchase by students in such schools during the regular school day. Examples of low-fat dairy products include low-fat yogurt and low-fat cheese.

Lunch Period

The daily lunch period of not less than twenty minutes applies to full school days only. "Lunch period" refers to the entire time given for students to get to and from the cafeteria, and purchase and eat their food.

Nutritious, Low-Fat Foods and Drinks

1. Implications for School Meal Programs

- *National School Lunch Program and School Breakfast Program:* School lunch and breakfast programs should not be significantly impacted by this legislation, as the types of drinks and foods specified (low-fat milk, 100% fruit juice, water, low-fat dairy products and fresh/dried fruit) should already be available during school meals. Schools should continue to ensure that all of these healthy choices are offered at mealtimes.

- *After-School Snack Program:* This legislation does not apply to the After-School Snack Program, since these programs are not part of the “regular school day.”
- *Special Milk Program:* Schools operating the Special Milk Program are now required to offer 100% fruit juice and water for purchase along with the low-fat milk already being served.

2. Implications for Other Food Sales in School

Effective July 1, 2004, whenever **any group** makes any foods available for purchase in a school during the school day, low-fat dairy products and fresh or dried fruits must be available in the school at the same time for purchase by students. Also, whenever **any group** makes drinks available for purchase during the school day, low-fat milk, water and 100% fruit juices must be available in the school at the same time for purchase by students. “Foods and drinks available for purchase” includes foods sold in vending machines, school stores, fundraisers and any other food sales in schools during the school day. For example:

- If a candy bar fundraiser is held during the school day, the school must have low-fat dairy products and fresh or dried fruit available for purchase while the fundraiser is being held.
- If soda is available for purchase from a vending machine, water, 100% fruit juices, and low-fat milk must also be made available for purchase at the same time. For example, schools may have milk vending machines and juice/water vending machines available to students if the cafeteria is closed and soda is available for purchase from a vending machine. Note: The law specifies that water must be available **for purchase**. Consequently, the availability of a water fountain does not meet this requirement.
- If a snack machine with chips, cookies and other snack foods is available for use by students during the school day, the school must also have low-fat dairy products and fresh or dried fruit available for purchase. Since snack machines typically are not refrigerated, low-fat dairy products and fresh fruit usually cannot be provided in the snack machine. If the snack machine is operating during cafeteria hours, having low-fat dairy products and fresh/dried fruit available as part of the meal service is acceptable. If the snack machine is operating outside of cafeteria hours, schools must make alternate provisions to offer low-fat dairy products and fresh or dried fruit during the school day.
- If school stores sell food, the school must ensure that low-fat dairy products and fresh or dried fruit are available for purchase (either in the store or elsewhere in the school) while the school store is selling food. Low-fat milk, water and 100% fruit juices must be available for purchase by students if other drinks are sold.

For questions or additional information, please contact Susan Fiore at (860) 807-2075 or e-mail susan.fiore@po.state.ct.us.